

STONE MAGNANINI

COMPLEX LITIGATION

November 9, 2023

VIA ECF

The Honorable Magistrate Judge Leda Dunn Wettre
United States Magistrate
District of New Jersey

Re: *United States of America, ex rel. Laurie Simpson v. Bayer Corp., et al.*,
05-cv-3895 (MEF)(LDW) – U.S.D.C., D.N.J

Dear Honorable Magistrate Judge Wettre:

I write to inform the Court that the mediation directed by the August 22, 2023, Order of the Honorable John Michael Vazquez, U.S.D.J. has reached its conclusion. As per the Order, the parties engaged in mediation in a good faith effort to resolve the outstanding motions for attorneys' fees, specifically docket entries 414 and 420. Unfortunately, despite the admirable efforts of the mediator, Mr. Stephen Greenberg, the mediation did not result in a negotiated resolution.

Accordingly, we respectfully request that Stone & Magnanini's administratively terminated Motion for attorneys' fees, ECF No. 420, be reinstated on the Court's docket. The motion is fully submitted, and was ready for decision by Judge Vasquez when the parties were directed to mediation. The parties jointly agree that the matter now should be returned to the District Court for resolution. Our firm is requesting this matter be decided as soon as possible in light of the delays caused by the various mediations and would agree to have Your Honor make the final decision. However, Bayer has advised it does not consent to final decision on the petition by a Magistrate Judge.

We appreciate the Court's attention to this request and are prepared to assist in any way necessary to facilitate the Court's review and decision.

Respectfully submitted,

/s/ David S. Stone

David S. Stone, Esq.
STONE & MAGNANINI, LLP

CC:

The Honorable Michael E. Farbiarz, U.S.D.J., D.C.N.J.
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(via ECF)